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Facsimile Cover Letter

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1. Examiner R. McCarry	U.S. Patent and Trademark Office	703-872-9306

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
Kris Kilian et al) Group: 3617
Serial No. 09/647,670)
Filed: November 20, 2000) Examiner: R. McCarry, Jr.
Title: SIDE REINFORCED BULK MATERIAL)
TRANSPORT CONTAINER)

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REQUEST FOR CONSIDERATION OF
INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Washington, D.C. 20231

Sir:

An Information Disclosure Statement was filed in the above application by mail on May 21, 2004. Because the Statement included a certificate of mailing in accordance with 37 C.F.R. 1.8, the effective filing date of the Statement is prior to the May 24, 2004, mailing date of the Notice of Allowance, although it is likely that the Notice of Allowance and Information Disclosure Statement crossed in the mail.

Since no acknowledgement has yet been received that the Examiner has considered the Information Disclosure Statement, it is requested that such acknowledgement be faxed to the undersigned at 260-460-1692.

The following comments relating to the documents cited in the Information Disclosure Statement have been provided by Applicants' Australian representative:

The "Dial a Dump -- Keeping Australia Clean" promotional material does not teach or disclose a "wheeled road or railway bulk material transport vehicle comprising a set of wheels and a container supported on the wheels for holding the bulk material", or that the container has a ridge "wherein the angle of the first wall portion of the ridge relative to the side wall portion is a function of the angle of repose of the bulk material such that the first wall portion is aligned with the flow of the bulk material during unloading of the bulk material from the container or the road or railway vehicle."

PATENT

While the 1946 Car Builders Cyclopaedia of American Practice, 17th Edition, relates to wheeled railway wagons, none of the wagons depicted provide a ridge running along a side wall between the end walls, wherein the angle of the first wall portion of the ridge relative to the side wall portion is a function of the angle of repose of the bulk material such that the first wall portion is aligned with the flow of the bulk material during unloading of the bulk material from the container.

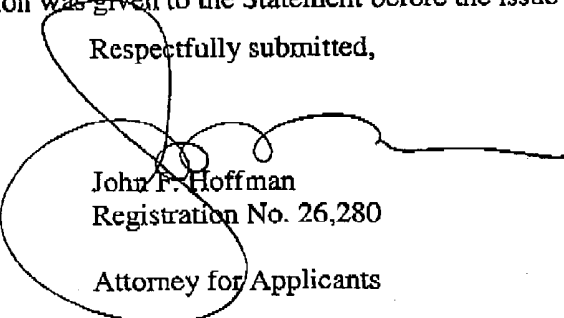
That is, neither document teaches or discloses an integral ridge projecting into and running along at least one of the side walls of the container that has the pitch of the ridge calculated from the angle of repose of the material to be carried in the container. During unloading of a container according to the present invention, because of the relationship between the angle of pitch of the ridge and the angle of repose of the material, the ridge assists in allowing the flow of material out of the container during unloading while providing integral strength and rigidity to the container to allow maximum volume within gauge requirements for the maximum dimensions of the container.

We also note that the majority of wagons depicted in the "Car Builders Cyclopaedia" reference are box cars wherein the construction of the side walls is not relevant to the way the vehicle is unloaded, and especially not rotational or bottom dumping. Unloading for box cars is carried out through doorway access in the sides of the vehicle, and thus, the construction of the sides of the wagons play no part in the flow of material during unloading.

PATENT

It is requested that the Information Disclosure Statement be considered as soon as possible because the deadline for paying the issue fee is August 24, 2004, and the Applicants want to ensure that proper consideration was given to the Statement before the issue fee is paid.

Respectfully submitted,


John F. Hoffman
Registration No. 26,280
Attorney for Applicants

JFH/nw

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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office (facsimile number 703-872-9306) on the date indicated below:


JOHN F. HOFFMAN, REG. NO. 26,280

Name of Registered Representative

Signature

August 11, 2004

Date